

Title: **\*\*Ibrahim vs. Commission on Elections\*\***

Facts:

Kamarudin K. Ibrahim filed his certificate of candidacy for Vice-Mayor of Datu Unsay, Maguindanao for the May 10, 2010 elections. Subsequently, Rolan G. Buagas, the Acting Election Officer, flagged Ibrahim along with 19 other candidates for not being registered voters in Datu Unsay. The COMELEC Law Department recommended the disqualification of these candidates, which the COMELEC en banc approved on December 22, 2009, while also allowing for the filing of opposition within two days from publication.

Ibrahim, alongside 50 other candidates, filed an opposition on January 8, 2010, challenging their disqualification. They argued that some of the affected had participated in prior elections, implicating a failure in the system if they were genuinely unregistered. The opposition also highlighted their permanent residence and domicile in their respective electoral areas.

The COMELEC en banc, on May 6, 2010, denied the opposition based on the certification by Buagas and another official that Ibrahim was not a registered voter. Despite receiving the highest votes for the Vice-Mayoralty race, Ibrahim's proclamation was suspended by the Municipal Board of Canvassers led by Buagas, citing COMELEC rules.

Issues:

1. Whether the COMELEC en banc had the jurisdiction to disqualify Ibrahim as a candidate for Vice-Mayor.
2. Whether the procedure undertaken by the COMELEC en banc in disqualifying Ibrahim, leading to the suspension of his proclamation, denied him due process.

Court's Decision:

The Supreme Court granted Ibrahim's petition, annulling and setting aside the COMELEC en banc's resolutions dated December 22, 2009, and May 6, 2010. The Court found that the COMELEC en banc lacked jurisdiction to disqualify Ibrahim directly, as such authority rested within the divisions of COMELEC, pointing out that the matter should have been handled by a division first before any en banc consideration, particularly upon a motion for reconsideration. Further, the Supreme Court held that Ibrahim was not denied due process as he was given an opportunity to file an opposition. However, despite this procedural correctness, the resolutions remained void due to the overarching jurisdictional error.

Doctrine:

Jurisdiction over the subject matter is determined by the Constitution or the law and cannot be acquired through a waiver or enlarged by the omission of the parties or conferred by the acquiescence of the court. Challenges to jurisdiction can be raised at any stage of the proceedings. The COMELEC en banc lacks authority to directly disqualify candidates, especially when no petition has been filed against them. Election cases, including petitions to deny due course or cancel a certificate of candidacy, should be resolved at the division level initially, with the COMELEC en banc only taking up motions for reconsideration of division decisions.

Class Notes:

- Jurisdiction over election law cases (e.g., disqualification, denial of due course, or certificate of candidacy cancellation) initially lies with the COMELEC divisions, not en banc except on motions for reconsideration.
- Due process in election law context involves the opportunity to be heard, including the right to file an opposition against disqualifying resolutions.

Historical Background:

Ibrahim vs. COMELEC highlights the procedural and jurisdictional nuances in Philippine election law, specifically the delineation of authority within the COMELEC between its en banc and divisional structures. This case underscores the crucial balance between adherence to procedural due process and the authority granted by the law, guiding future electoral disqualifications and emphasizing jurisdictional mandates.